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Of Counsel:
JENNY A. DURKAN
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

STATE FARM FIRE & CASUALTY COMPANY,

Plaintiff,

v.

BRAD JANGARD,
THE INTERNAL REVENUE SERVICE,
THE CITY OF PUYALLUP,
NORTHWEST TRUSTEE SERVICES, INC.,
GMAC MORTGAGE, LLC,
BANK OF AMERICA, N.A.,
THE DEPARTMENT OF SOCIAL HEALTH
SERVICES, DIVISION OF CHILD SUPPORT
OCWEN LOAN SERVICING, LLC,

Defendants.

Case No. 13-6065

United States of America's
NOTICE OF REMOVAL

1 The United States of America, by and through its undersigned counsel, hereby removes
2 the above-captioned action to the United States District Court for the Western District of
3 Washington, Tacoma Division, pursuant to 28 U.S.C. §§ 1442(a)(1) and 1444. The basis for
4 removal is as follows:

5 **INTRADISTRICT ASSIGNMENT (LCR 101(E))**

6 Because the allegations of the complaint assert that the real property at issue, upon which
7 the insurance agreement attached, is in Pierce County, this case should be assigned in Tacoma
8 pursuant to LCR 3(d).

9 **REMOVAL**

10 1. The United States is in receipt of a document entitled "STATE FARM'S
11 COMPLAINT FOR INTERPLEADER AND DECLARATORY RELIEF" as well as "STATE
12 FARM'S FIRST AMENDED COMPLAINT FOR INTERPLEADER AND DECLARATORY
13 RELIEF" filed by plaintiff in the above-captioned action now proceeding in the Superior Court
14 of the State of Washington in the County of Pierce. Pursuant to LCR 101(b), a copy of the
15 amended complaint is attached.

16 2. This action is one that may be removed pursuant to 28 U.S.C. § 1442(a)(1)
17 because it is a civil action commenced in a state court against the United States. This action may
18 also be removed pursuant to 28 U.S.C. § 1444 because it is in the nature of an interpleader.

19 3. According to the Declarations of Service filed by Plaintiff, on November 20,
20 2013, Plaintiff mailed its complaint to the United States Attorney General by certified mail and
21 regular mail. Further, on November 26, 2013, Plaintiff served copies of the complaint at the IRS
22 Walk in Facility upon a Group Manager on November 26, 2013. Despite the affidavits'
23 contention that it accomplished service upon the United States District Attorney through that

1 service, Plaintiff has yet to serve the United States Attorney as required by Fed. R. Civ. P.
2 4(i)(1)(A). Although Plaintiff has not yet properly served the United States, this notice of
3 removal is being filed within thirty (30) days of receipt of the complaint. *See* 28 U.S.C. §
4 1446(b).

5 4. This action may be removed to this Court without bond by virtue of the provisions
6 of 28 U.S.C. § 2408 because the United States is initiating such removal.

7 5. A copy of this notice shall be promptly filed with the Washington Superior Court
8 in Pierce County and served upon all known parties.

9 6. By filing this notice, the United States does not waive any defenses listed in Fed.
10 R. Civ. P. 12.

11
12 Respectfully submitted,

13 KATHRYN KENEALLY
14 Assistant Attorney General

15
16 /s/ Quinn P. Harrington
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18 Trial Attorney, Tax Division
19 U.S. Department of Justice
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21 Washington, D.C. 20044
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Of Counsel:

JENNY A. DURKAN
United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of December, 2013, I caused service of the foregoing document, along with accompanying attachment, upon the following by mailing the document by United States Postal Service to the following non-CM/ECF participants

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/s/ Quinn P Harrington

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United States Department of Justice, Tax Division